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Defendant(s).

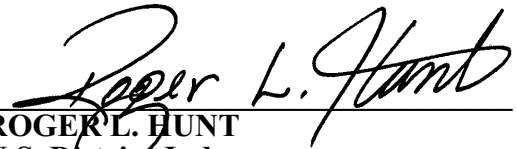
ORDER

The court has conducted a *de novo* review of the record in this case in accordance with 28 U.S.C. §636(b)(1) (A), (B) and (C) and Local Rule IB 3-1 and 3-2 and determines that the Order is not clearly erroneous or contrary to law and should be affirmed, and the Findings and Recommendation of Magistrate Judge Foley should be accepted and adopted.

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1 IT IS THEREFORE ORDERED that Magistrate Judge's Order (#11) is hereby
2 AFFIRMED and his Findings and Recommendation (#11) is ACCEPTED and ADOPTED;
3 Plaintiff's Motions (## 7, 8, 9 and 10) are DENIED and the Complaint is DISMISSED.

4 Dated: November 28, 2006.

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7 **ROGER L. HUNT**
8 **U.S. District Judge**
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